

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF:

ROGER LEE REECE, II  
JODI LYNN REECE

Debtors

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CASE NO. 05-15535

DECISION AND ORDER

At Fort Wayne, Indiana, on December 15, 2005

The notice of motion and opportunity to object which Huntington National Bank (hereinafter “Movant”) served in connection with its motion for relief from co-debtor stay does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not state the date upon which the motion was filed. N.D. Ind. L.B.R. B-2002-2(c)(2).
- b. The stated deadline for filing objections, December 12, 2005, is only seventeen (17) days after the date of the notice and creditors are entitled to at least twenty (20) days notice of the opportunity to file objections. N.D. Ind. L.B.R. B-2002-2(b)(1).
- c. The notice does not designate where objections should be filed or upon whom they should be served. N.D. Ind. L.B.R. B-2002-2(c)(5). Those portions of LBF-3 have been left blank.
- d. The notice is not “dated as of the date it was served.” N.D. Ind. L.B.R. B-2002-2(c)(7).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and

without further notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court